

REMARKS

INTRODUCTION

In response to the Office Action dated March 31, 2009, claim 1 has been amended, and claim 2 has been cancelled. Claims 1 and 3-18 remain in the application. Examination and consideration of the application, as amended, is requested.

CLAIM AMENDMENTS

Applicants' attorney has made amendments to claim 1 as indicated above to incorporate elements previously recited in claim 2. The amendment to claim 1 is fully supported by the specification as filed and introduces no new matter.

RESPONSE TO RESTRICTION REQUIREMENT

The Office Action dated March 31, 2009 required restriction of the claims into three claim Groups. In response, Applicants elect Group 1, namely claims 1-5.

However, Applicants do so with traverse. According to M.P.E.P. §803, there are two criteria for a proper restriction requirement. First, the two inventions must be independent and distinct. In addition, there must be a serious burden on the Examiner if restriction is not required. Even if the first criterion has been met in the present case, which it has not, the second criterion has not been met.

Applicants assert that a search into prior art with regard to the invention of the different Groups is so related that separate significant search efforts should not be necessary. Accordingly, there is no serious burden on the Examiner to collectively examine the different claim Groups of the subject application. Therefore, restriction is not proper under M.P.E.P. §803.

Consequently, Applicants respectfully request the Examiner reconsider and withdraw the restriction requirement. It is also submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' undersigned attorney.

It is believed that no fees are due at this time. Nonetheless, should any charges be deemed necessary, please charge any such fees, or credit any overpayments, to Deposit Account No. 50-0494 of Gates & Cooper LLP.

Respectfully submitted,

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